



## PERSPECTIVES IN LAW

*BRIDGE PERIOD NO. 4: LEGAL PHILOSOPHY*

LAW AS POLITICS?  
LAW AS JUSTICE?

David Dyzenhaus

Brian Langille

Hamish Stewart

February 23-26, 1998

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UNIVERSITY OF TORONTO

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## LAW AS POLITICS/LAW AS JUSTICE?

David Dyzenhaus, Brian Langille, Hamish Stewart

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## TIMETABLE -- February 23-26, 1998

TIME	INSTRUCTOR/TOPIC	READINGS
MONDAY FEBRUARY 23, 1998 A.M.	CLASSES	
P.M.	INTRODUCTION	
2:30 - 2:45	<i>Introduction to Bridge</i> D. Dyzenhaus	R. Cover, <u>Justice Accused</u> E Cameron, <u>Judicial Submission to TRC</u>
2:45 - 4:00	<i>An Introduction to the Relationship of Politics and Law: A Hobbesian View</i> D. Dyzenhaus	Hobbes, <u>Leviathan</u> (excerpts)
TUESDAY FEBRUARY 24, 1998	LAW AS POLITICS/LAW AS JUSTICE?	
9:00 - 10:00	<i>Law As Politics I: Feminist Legal Analysis</i> D. Reaume	C. MacKinnon, <u>Towards a Feminist Theory of the State</u> F. Olsen, "Statutory Rape: A Feminist Critique of Rights"
10:00 - 11:00	<i>Law As Politics II: Law &amp; Economics</i> B. Chapman	Coase, "The Problem of Social Cost" Posner, <u>The Economics of Justice</u>
11:00 - 11:30	BREAK	
11:30 - 12:30	<i>Law As Justice I: Law as Corrective Justice</i> H. Stewart	E. Weinrib "Formalism" Aristotle "Nichomachean Ethics"
2:00 - 3:45	Film: <i>Billy Budd</i>	

<b>WEDNESDAY</b> <b>FEBRUARY 25, 1998</b>	LAW AS POLITICS/LAW AS JUSTICE?	
9:00 - 10:00	<i>Law As Justice II: Law as Distributive Justice</i> D. Duff	C. Sunstein, "Interpreting Statutes in the Regulatory State"
10:00 - 11:00	<i>Law as Justice III: Justice and the Criminal Law</i> A. Brudner	Hegel, <u>Philosophy of Right</u> Bentham, <u>Principles of Morals and Legislation</u>
11.00 - 11.30	BREAK	
11.30 -12.30	<i>Law as Justice IV: Restorative Justice</i> R. Howse and J. Llewellyn	Llewellyn and Howse, "Institutions for Restorative Justice"
2:00 - 3:00	<i>Discussion Groups</i> [Focus: Billy Budd]  D. Duff K. Weiler A. Brudner J. Nedelsky D. Dyzenhaus G. Hadfield R. Howse M. Moran D. Reaume C. Scott C. Valcke	re-read R. Cover and E. Cameron
<b>THURSDAY</b> <b>FEBRUARY 26, 1998</b>	LAW AS A QUASI-AUTONOMOUS DISCPLINE	
9:00 - 10:00	<i>A Non-Traditional View - Pashukanis</i> A. Ripstein	Pashukanis, <u>Law and Marxism: A General Theory</u>
10:00 - 10:30	BREAK	

11:00 - 12:30	<p><i>A Traditional View - Hart and Dworkin</i></p> <p>D. Dyzenhaus B. Langille</p>	<p>Hart, "Positivism and the Separation of Law and Morals" Dworkin, "Law's Ambitions for Itself"</p>
2:00 - 3:00	<p><i>Panel Discussion</i></p> <p>G. Hadfield B. Chapman D. Dyzenhaus R. Howse B. Langille M. Moran D. Reaume H. Stewart C. Valcke K. Weiler A. Ripstein</p>	

